

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**DOLLY ANN MONTGOMERY, individually
and on behalf of all others similarly situated**

PLAINTIFF

v.

CAUSE NO. 1:16CV17-LG-RHW

**SINGING RIVER HEALTH SYSTEM
FOUNDATION, et al.**

DEFENDANTS

ORDER TO SHOW CAUSE

THIS MATTER IS BEFORE THE COURT sua sponte. On January 20, 2016, this Court entered a stay in this matter due to the entry of the Memorandum Opinion and Order Granting Motion for Preliminary Approval of Class Action Settlement [148] in a related class action lawsuit, *Jones v. Singing River Health System, et al.*, 1:14 cv447-LG-RHW. An Order and Final Judgment [300] has now been entered in the *Jones* lawsuit that includes the following injunction:

(e) All claims, rights and causes of action, damages, losses, liabilities and demands of any nature whatsoever, whether known or unknown, that are, could have been or might in the future be asserted by the Trust, any Plaintiffs or any member of the Settlement Class (whether directly, representatively or in any other capacity), against the following Released Persons, in connection with or that arise out of any acts, conduct, facts, transactions or occurrences, alleged or otherwise asserted or that could have been asserted in the Actions related to the failure to fund the Trust and/or management or administration of the Plan (collectively referred to as the “Settled Claims”) shall be compromised, settled, released and discharged with prejudice:

- (1) Jackson County, Mississippi and the Jackson County Board of Supervisors;
- (2) Singing River Health System, its current and former Board of Trustees (individually and in their official capacities), agents, servants and/or employees;
- (3) Singing River Health Services Foundation, Singing River

Health System Foundation f/k/a Coastal Mississippi Healthcare Fund, Inc., Singing River Hospital System Foundation, Inc., Singing River Hospital System Benefit Fund, Inc., and Singing River Hospital System and all of their current and former employees, agents, and inside and outside counsel and their firms; and

(4) current and former Trustees of the Trust (in their individual and official capacities).

(f) The Plaintiffs and/or members of the Settlement Class are hereby permanently barred and enjoined from instituting or prosecuting, either directly or in any other capacity, any action that asserts any claims released under the terms of the Settlement Agreement.

(Order and Final Judgment at 3-4, ECF No. 300, Cause No. 1:14cv447-LG-RHW).

On or before July 1, 2016, the plaintiff Dolly Ann Montgomery is ordered to show cause why her claims against the following defendants should not be dismissed with prejudice pursuant to the injunction: Singing River Health System Foundation (also known as Singing River Hospital System), Singing River Health Services Foundation, Singing River Hospital System Foundation, Singing River Hospital System Employee Benefit Fund, Inc., the Board of Trustees for the Singing River Health System, and Jackson County, Mississippi.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, on or before July 1, 2016, the plaintiff Dolly Ann Montgomery is ordered to show cause why her claims against the following defendants should not be dismissed with prejudice pursuant to the injunction entered in *Jones v. Singing River Health System, et al.*, 1:14 cv447-LG-RHW: Singing River Health System Foundation (also known as Singing River Hospital System), Singing River Health Services Foundation, Singing River Hospital System

Foundation, Singing River Hospital System Employee Benefit Fund, Inc., the Board of Trustees for the Singing River Health System, and Jackson County, Mississippi.

SO ORDERED AND ADJUDGED this the 20th day of June, 2016.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
Chief United States District Judge